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Montgomery officers' gun purchases are subject of federal probe

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A Montgomery County tuition-assistance program that allowed police and other law enforcement officials to purchase sharply discounted firearms for their own use has prompted a federal investigation, a senior county official said Thursday.

There is "now an ongoing criminal investigation related to this program," said Timothy L. Firestine, Montgomery's chief administrative officer. County Executive Isiah Leggett (D) said federal authorities have shown interest in the gun transactions and how the firearms were valued.

Firestine discussed the investigation at a contentious session Thursday before members of the Montgomery County Council, who met to discuss a county inspector general's report. The report found that lax oversight had allowed 216 Montgomery law enforcement employees to purchase rifles or Glock semiautomatic pistols after taking expensive training classes paid for with county tuition-assistance money. Officers would pay \$99 for a pistol that retailed for more than \$500, and \$350 for a rifle that retailed for more than \$700, reported the inspector general, Thomas Dagley.

Federal investigators appear to be interested in county police officer Aaron Bailey.

Charles Rand, Bailey's attorney, said his client received three federal subpoenas requesting information on companies that Bailey ran that were involved in firearms training. All three subpoenas indicated that the FBI was involved and sought corporate records and data, which were delivered to the U.S. attorney's office in Greenbelt in January, Rand said.

"We gave them every shred of paper we could find," Rand said.

Rand said he told federal prosecutors that they were possibly being used by Montgomery County authorities. He said the Leggett administration "has been long on accusations and short on proof" when it comes to Bailey and his companies.

Rand said he has seen no indication that his client broke the law.

The county filed a lawsuit this month accusing Bailey of fraud for his role in the courses.

"When you have the publicity about it, and you see guns being purchased, it gets the attention of federal authorities," Leggett said. He said that he does not know who or what is under investigation but that "there was some interest from federal authorities related to the purchase of guns, how they were purchased, the value of the guns and whether there were some illegal transactions." In addition, Leggett said, "there were some potential tax implications to that as well," including whether there was "some underreporting of the valuation" of the firearms received.

"I have no idea to what degree they think that some criminal activity is involved or not," he said.

Rand said the county is going after Bailey to deflect criticisms of the Leggett administration that were reflected in the inspector general's report.

Rand noted that the county is seeking almost \$1 million from Bailey in its civil suit yet has not disciplined him. The officer continues to work for the department, Rand said.

Leggett acknowledged again Thursday that oversight of the program was insufficient. Still, he said, "we want our money back."

Rand said he doubted that the federal subpoenas would lead to a deep criminal probe. "Frankly, I have my doubts there is such an investigation," he said. His client has not been asked to testify before a grand jury, Rand added.

Montgomery Police Chief J. Thomas Manger said he could not comment on whether federal authorities have contacted him regarding his officers' involvement with the program. "I can't talk about that at all," he said.

County Sheriff Raymond M. Kight, who first raised concerns about the program last year, said he has not been approached. "We haven't been contacted, interviewed, anything," he said.

Firestine said county officials provided more than one federal agency with information. A spokesman for the FBI and a spokeswoman for the U.S. attorney's office declined to comment.

At Thursday's County Council session, members were divided in their reaction to the inspector general's report. Some said he had gone too far in suggesting that county employees had run afoul of government ethics standards. Others praised the inspector general for uncovering details of the program.